

FILED SEP 18 '24 PM 4:42 USDCLS

In the Federal Southern District Court

24-cv-344-KD-C

Case # Cv- 325-TFM-C

Nature of Case: Civil Rights Violation

DC- Judge William Scully Jr. DC- 05-2023-003479.00

DC- TR19-403919

U.S- Judge Terry F. Moore- Cv-325-TFM-C

Virgil Mitchell

V's

State of Alabama

My Initial Complaint for criminal charges

Now Comes Mitchell, On 5-6-23 I was arrested by Fairhope Police Department on false Accusations of a (terrorist threat) to PNC Bank. On 5-8-23 I went to a bond hearing here in the Baldwin Co. Jail which I did not request a preliminary hearing, so there was no court date issued on Dc-05-2023-003479.00 terrorist threat. But I was issued a Due process date to file for preliminary hearing, It was 6-7-23. I Filed 5-15-23 & that date was removed, or 6-15-23 was 5-25-23. On 5-25-23 that was my Original court date for Dc-05-2023-003479.00. On that date my original court day, I was not present for court. When I asked Mrs. Sanders why was I not present for court, she replied that my original court date was changed to 6-8-23. On that day I plead not guilty to Dc-05-2023-003479.00 & the court date was set for 6-15-23. Appendix 28 U.S.C sec.60 (d) 2 says a person or defendant shall be granted relief from a judgment or order if they have not been notified of any actions taken. I was never notified personally of any change in my original court date of 5-25-23 at all, & my motions I filed to dismiss with prejudice were set aside a judgment for (Fraud). Appendix 28 U.S.C sec. 60 (d) 3 says I shall be granted relief from any judgment or order if a judgment has been set aside for Fraud on the courts. In the bond hearing held 5-8-23 the only court date that was issued was 6-12-23 for TR19-403919 D.W.S. On the day of 6-12-23 I Went to the jail court room where I plead not guilty. Because I told them in that hearing, that this TR19-403919 D.W.S Traffic Ticket has been filed over in CV-Case-1:21-00085-kd-mu Virgil Mitchell V's State of Ala. (DHR). So in the hearing the State set the Court date over to 7-27-23 (For Trial). On 7-26-23 officer Aldrete came up to T- Block to escort me to the jail court room for a hearing on TR19-403919, when TR19-403919 was set for trial on 6-12-23 for 7-27-23 for TR19-403919. On 8-1-23 I Filed a motion to dismiss with prejudice because Appendix 28 U.S.C sec 60 relief from judgment or from Order (d) 2 I was not notified of any change of court date of 7-27-23 trial date. & the copy mailed here On 8-1-23 was set aside a judgment for (Fraud) on the courts. Besides Appendix 28 U.S.C sec 50 conditional Ruling (b) judgment as a matter of Law against a party on a claim or defense that under the controlling law can be maintained or defeated only with a favorable finding on that issue. Also Appendix 28 U.S.C sec. 50 (b) 3, The court must direct it's entry for a conditional ruling as a matter of Law. Their was no motion I filed was by the Ruling of (Black Letter Law), Why ? Because DC-05-2023-003479.00 I Was set up just to hinder the functions of a Conservative "12 Agency involving CV-1:21-00085-kd-mu. I Should be Compensated for this the total amount filed for in the 11<sup>th</sup> Cir. Court of Appeals. But before I file civil actions in this case I would like to file a Writ of Arrest for Judge ( William Scully JR.) For Abuse Of power. Exactly why was my Appeal notice denied? Because 58 F.R.C.P & 42 U.S.C sec. 2282 (A) Civil Monetary Penalties Energy Safety & Nuclear Regulations Rule (e1) Constitutes violation in such

( Applicable) Rules provided by the Secretary of Transportation under F.R.C.P 58, & 42 U.S.C sec, 2282, as well as Appendix 28 U.S.C sec. 77, as well as Appendix 28 U.S.C sec. 50 (b) 3. Brenda Q. Ganey & Judge William Scully Jr. should both be charged with 18 U.S.C sec. 1963 Criminal Penalties (A) (Racketeering ) For the derives & Profits for violation in the (Applicable Law , Rule , or Order Regulation) provided by the Secretary of Transportation. Also Brenda Q. Ganey Should be charged with multiple counts of a "Misprision of a Felony" for continuing violation in rule 58 Entering Judgment as a matter of Law since May of 2023. Because the Cir. Court Clerk Brenda Q. Ganey & Dc. Judge William Scully Jr. are the reason This Dc. Court case has been prejudice so badly that it sits in a Federal Clerks Office pending Civil Actions, I ask that Judge William Scully Jr. be removed from this case pending an Internal investigation From the Ala. State Bar Association about Continuing violation in the (Applicable) rules provided by the Secretary of Transportation. Also 12 U.S.C sec. 5538 Mortgage Loans A 1-3 Enforcement Amendment 2010 3-4. Any violation of a rule prescribed under this paragraph shall be Treated as a violation of rule Prohibiting unfair or deceptive acts or violation of a rule under sec. 18 of the Federal Trade Commission Act (15 U.S.C 57a) regarding unfair or deceptive acts or practice. The Bureau of Consumer Financial Protections shall have authority to prescribe rules with respect to Mortgage Loans accordance with Section 553 title 5. 15 U.S.C sec. 7706 Enforcement Generally (a) Undersigned on 12-9-23 for collection Of (Injunctive Relief) by motion of Mitchell should be treated in this manner. Subsec. A Pub .L. 111-203 Sec.1097 (1) added Subsec. (A) & struck out former Subsec. (A) Amendment 2010 rule 3: befor issuing a Final rule pursuant to the proceeding initiated under Paragraph (1) the Federal Trade Commission shall Consult with the Federal Reserve Board concerning any portion of the proposed rule Applicable to acts Or practices to which provision of truth in lending act (15 U.S.C 1601 et Seq.) may apply. In accordance With these rules the State of Ala. & It's entity should be dealt with, 12 U.S.C sec. 5538 Mortgage Loans A 1-3 & 4. Also because I am part 135 air carrier 49 U.S.C sec 44730 (f) 1-2, Also 15 U.S.C sec. 7706 rule (d) 6 & 7 I hold the operating Certificates issued under 119 of Title 14 code of Federal regulations that is Authorized to conduct Civil Ambulance operations under part 135 Air Carrier. Because of unfair & Deceptive acts of practice, & violation in applicable law, rule or order regulation related to Nuclear Safety Whistle blower Protections provided by the Secretary of Transportation, which has been a Continuing act since May of 2023. 15 U.S.C sec.7706 rule (e) the Availability of Cease- Desist orders & Injunctive Relief without the showing of knowledge. The (100,000) dollar injunctive relief offered to Me in case # 1:21-cv-00085-kd-mu, under 15 U.S.C sec. 7706 rule (e) Enforcement Generally I would like To order the 100,000 dollar Injunctive relief to be granted to me. & for such violation in the (Applicable) Provided by the Secretary of Transportation, I ask to be granted all the amount of claim in case# 22-10390 in my Appendix to Brief in the 11<sup>th</sup> Cir. Court of Appeals case a total amount of 3.689 million Dollars, for violation in the applicable rules provided by the Secretary of Transportation. & for this new Case alone 1:23-cv-325-TFM-C the claim alone I want to claim a total amount of 5 million dollars for Violation in the Applicable Rules provided by the Secretary of Transportation, & hindering the functions Of a Conservative "12 Agency, & Causing a delay in the (Provision of Permanent Power) Please Amend My Initial Complaint.

155 st Joseph st  
Mobile Ala. 36602  
Federal Clerks Office

407 young st.  
Fairhope Ala. 36532  
Virgil Mitchell

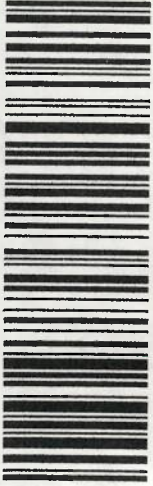
Done this very day of.. 9-6-24



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OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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3660

**FROM:**

Virgil Mitchell  
407 young st  
Fairhope AL 36532

**TO:**

Federal Clerk's office  
155 st Joseph st  
Mobile AL 36602